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REPORT OF THE SECRETARY-GENERAL PURSUANT TO RESOLUTION 913 (1994)

I. INTRODUCTION

1. In its resolution 913 (1994) of 22 April 1994, the Security Council decided to remain actively seized of the situation in and around Gorazde and stated that it stood ready promptly to consider taking further measures as required. Significant developments on the ground make it necessary for me to submit the present report to the Council, which should be read against the background of document S/1994/555, in which I presented my views on the concept of "safe areas" and its effective implementation within the overall goal of restoring peace in Bosnia and Herzegovina.

II. BACKGROUND

2. The Security Council, in resolution 913 (1994), demanded the immediate conclusion of a cease-fire agreement, under the auspices of the United Nations Protection Force (UNPROFOR), in Gorazde and throughout the territory of the Republic of Bosnia and Herzegovina, leading to an agreement on cessation of hostilities, and demanded that all parties comply strictly with such agreements. It called upon UNPROFOR to monitor the situation in Gorazde and the respect of any cease-fire agreement and disengagement of the military forces therein, including any measure to put heavy weapons of the parties under United Nations control. It also condemned the shelling and attacks by the Bosnian Serb forces against the safe area of Gorazde and demanded the withdrawal of those forces and their weapons to a distance to be agreed by UNPROFOR, wherefrom they ceased to constitute a threat to the status of Gorazde as a safe area. The Security Council further called for an end to any provocative action by whomsoever committed in and around the safe areas, demanded the immediate release of all United Nations personnel held by the Bosnian Serb forces as well as the unimpeded freedom of movement for UNPROFOR and the removal of all obstacles thereto. It underlined the urgent need for an intensification of the efforts towards an overall political settlement agreed by all parties in the former Yugoslavia and in particular in the Republic of Bosnia and Herzegovina.

3. As the Council is aware, I had on 18 April 1994 addressed a letter to the Secretary-General of the North Atlantic Treaty Organization (NATO), Mr. Manfred Worner, in which I requested him to obtain, at the earliest possible date, a decision by the North Atlantic Council to authorize the Commander-in-Chief of NATO's Southern Command (CINCSOUTH), to launch air strikes, at the request of the United Nations, against artillery, mortar positions or tanks in or around the five safe areas of Tuzla, Zepa, Gorazde, Bihac and Srebrenica, that were determined by UNPROFOR to be responsible for attacks against civilian targets within those safe areas. On 22 April 1994, Mr. Worner informed me that on that day the North Atlantic Council had taken two decisions on the protection of safe areas. As regards the Gorazde safe area, the North Atlantic Council had decided, inter alia, that unless: (a) Bosnian Serb attacks immediately ceased; (b) their forces pulled back 3 kilometres from the centre of the city by 0001 hours GMT on 24 April 1994; and (c) from that same time and date United Nations forces, humanitarian relief convoys and medical assistance teams were free to enter Gorazde unimpeded and medical evacuations were permitted, CINCSOUTH was authorized to conduct air strikes against Bosnian Serb heavy weapons and other military targets within a 20-kilometre radius of the centre of Gorazde (but inside the territory of Bosnia and Herzegovina), in accordance with the procedural arrangements worked out between NATO and UNPROFOR following the Council's decisions of 2 and 9 August 1993. That decision also called upon the Government of Bosnia and Herzegovina not to undertake offensive military action from within that safe area.

4. In another decision, the North Atlantic Council had also agreed, inter alia, to establish a "military exclusion zone" (within the territory of Bosnia and Herzegovina) of 20 kilometres around Gorazde, which called for all Bosnian Serb heavy weapons, including tanks, artillery pieces, mortars, multiple rocket launchers, missiles and anti-aircraft weapons, to be withdrawn by 0001 hours GMT on 27 April 1994. It further decided that, after 0001 hours GMT on 27 April 1994, in the event of non-compliance, Bosnian Serb heavy weapons and other Bosnian Serb military assets, as well as their direct and essential military support facilities, including but not limited to fuel installations and munitions sites, would be subject to NATO air strikes, in accordance with the procedural arrangements worked out between NATO and UNPROFOR following the Council's decisions of 2 and 9 August 1993. The decision also called upon the Government of Bosnia and Herzegovina not to undertake offensive military action from within the safe areas and, to this end, to cooperate with any UNPROFOR monitoring of their heavy weapons.

5. On 22 and 23 April 1994, my Special Representative for the Former Yugoslavia, Mr. Yasushi Akashi, and the UNPROFOR Force Commander, Lt-General Bertrand de Lapresle, met in Belgrade with the Bosnian Serb civilian and military authorities and leadership, at the invitation of President Slobodan Milosevic of the Republic of Serbia. As required by resolution 913 (1994), an agreement was reached at that meeting on an immediate and total cease-fire in and around Gorazde from 1000 hours GMT on 23 April 1994, and on the urgent deployment of an UNPROFOR battalion in an area with a 3-kilometre radius from the centre of Gorazde (defined as the centre of the main bridge on the Drina river) from which Bosnian Serb forces would be redeployed by 2200 hours GMT on 23 April 1994, in order for UNPROFOR to closely monitor,

supervise and report on the observance of the cease-fire by both parties. In addition, it was agreed that heavy weapons would be withdrawn, not later than 2200 hours GMT on 26 April 1994, out of an area with a 20-kilometre radius from the centre of Gorazde (but inside the territory of Bosnia and Herzegovina) and out of range, so as not to constitute a threat to the Gorazde safe area, without prejudice to the procedures to be agreed subsequently in accordance with paragraph 3 of resolution 913 (1994). The agreement also included a guarantee of secure conditions for immediate medical evacuations from Gorazde and provisions for complete freedom of movement for all personnel of UNPROFOR and humanitarian organizations and for the immediate start of negotiations in good faith on all military matters in order to reduce tensions, achieve disengagement, create secure and peaceful conditions and provide for the humanitarian needs of the civilian population. The agreement further indicated that the implementation of the preceding measures would contribute to intensifying efforts towards achieving an overall political settlement agreed by all parties.

III. SITUATION IN GORAZDE

6. Despite a number of violations of the cease-fire attributable to both parties between the afternoon of 23 April and the morning of 25 April 1994, the cease-fire has generally been respected since the latter date, with only isolated and sporadic small arms fire. This was in no small measure due to the arrival in Gorazde, in the course of the night of 23-24 April, of a first UNPROFOR convoy. This first contingent included some 100 infantry, 40 medical and about 25 civil affairs and civilian police personnel and was led by the UNPROFOR Head of Civil Affairs and the Commander of Sector Sarajevo of UNPROFOR's Bosnia and Herzegovina Command. They were subsequently reinforced to the total present strength of 432, including civilian personnel.

7. This rapid improvement in the military and humanitarian situation in and around Gorazde was achieved through the interposition of UNPROFOR between the opposing forces, the deployment of its soldiers, civilian and police staff within the urban areas on both banks of the Drina river, the evacuation by air of nearly 300 urgent medical cases, the arrival of humanitarian assistance convoys of the Office of the United Nations High Commissioner for Refugees (UNHCR), and other ad hoc measures aimed at restoring security and confidence among the civilian population, including the Serb minority.

8. The withdrawal of Bosnian Serb forces from the 3-kilometre zone by 2200 hours GMT on 23 April 1994, was complicated by the need to separate the two opposing forces. Owing in part to delays in the arrival of the required UNPROFOR forces, which were caused largely by factors beyond the control of UNPROFOR, it took an additional day to complete the withdrawal of the main body of Serb forces that had been attacking the town.

9. While supervising the withdrawal of Bosnian Serb forces from the 3-kilometre zone, UNPROFOR and NATO were also conducting ground investigations and air surveillance of the 20-kilometre zone. By the deadline of 2200 hours GMT on 26 April 1994, it was clear on the basis of the best information available that substantial compliance had occurred with respect to the required

withdrawal of heavy weapons. Of 32 sites visited in the 20-kilometre zone, all had been cleared of heavy weapons, apart from 3 weapons that were found to be immobilized. In subsequent patrols following the expiry of the deadline, three Bosnian Serb tanks and two anti-aircraft guns were found and escorted out of the zone. Investigation patrols continue.

10. In accordance with paragraph 2 of resolution 913 (1994) and at UNPROFOR's request, the local Commander of the Army of the Republic of Bosnia and Herzegovina submitted information on two heavy weapons in his possession. UNPROFOR patrols, however, later found four additional undeclared heavy weapons (one anti-aircraft and three anti-tank weapons), which cast doubts on the accuracy of the information originally provided. Efforts continue to have the Bosnian Government's Army place all its heavy weapons under UNPROFOR control.

11. After their verification of the 20-kilometre zone in conjunction with the 26 April deadline, UNPROFOR forces were able to refocus attention on more intensive patrolling in the 3-kilometre zone. As early as 25 April 1994, small groups of Bosnian Serb militia were being encountered, particularly on the right bank of the Drina. When confronted with this information, the Bosnian Serb authorities stated that those persons were demobilized militia or police and had been left in the area to ensure the security of Bosnian Serb civilians. On 30 April, a serious incident occurred within the 3-kilometre exclusion zone, during which an UNPROFOR patrol twice came under fire from Bosnian Serb soldiers. UNPROFOR soldiers returned fire in self-defence, causing three casualties to the assailants.

12. On 3 May 1994, my Special Representative and the Force Commander met with Prime Minister Haris Silajdzic to discuss the situation in Gorazde. Prime Minister Silajdzic emphasized that the presence of Bosnian Serb forces within the 3-kilometre area was not acceptable, and that full Bosnian Serb compliance with the total exclusion zone was a precondition for further negotiations. The Prime Minister also accused the Bosnian Serb side of introducing in that area civilian settlers who occupied houses abandoned by their legal owners who had been forcibly displaced during the recent offensive.

13. At a subsequent meeting the same day with the Bosnian Serb leader, Mr. Radovan Karadzic, my Special Representative emphasized the need for full and immediate compliance with all the terms of resolution 913 (1994) and the agreement reached at Belgrade. Mr. Karadzic asserted a need for Bosnian Serb militiamen to remain within the 3-kilometre exclusion zone on the right bank of the Drina, in order to protect Bosnian Serb civilians who allegedly originated from and were then returning to that area in the wake of the recent advance of Bosnian Serb forces. My Special Representative did not accept this reasoning and demanded that all armed and uniformed individuals be withdrawn forthwith from that zone.

14. As the situation on the ground did not improve, my Special Representative instructed the Head of Civil Affairs of UNPROFOR to proceed to Pale on 7 May 1994, for further talks with Mr. Karadzic. The immediate and total withdrawal of all armed and uniformed elements, whether soldiers or militiamen, who by then totalled some 200 to 250 within the 3-kilometre zone, in contravention of resolution 913 (1994) and of the agreement reached at Belgrade,

was again demanded. Mr. Karadzic was also informed that UNPROFOR military and civilian police personnel would take exclusive control of the area lying between the 23 April 1994 cease-fire line and the edge of the 3-kilometre zone. Mr. Karadzic undertook to instruct his military commanders to comply. No progress, however, was made with regard to the Bosnian Serb civilians who have settled within that zone.

15. In meetings held in Vienna and Sarajevo on 7 and 8 May 1994, President Alija Izetbegovic and Prime Minister Silajdzic reaffirmed to the UNPROFOR Head of Civil Affairs that total withdrawal of Bosnian Serb forces from the 3-kilometre zone and a satisfactory solution to the problem of persons displaced within that zone by the recent Bosnian Serb offensive remained preconditions for other negotiations.

16. On 10 May 1994, my Special Representative wrote an urgent letter to Mr. Karadzic protesting, inter alia, against the continued presence of Bosnian Serb forces within the 3-kilometre exclusion zone, the unacceptable and repeated harassment and long delays or obstruction caused to UNPROFOR convoys travelling to and from Gorazde, the non-granting of clearances for medical evacuation helicopter flights and the denial of freedom of movement to United Nations civilian policemen from Sarajevo to Gorazde and within the Gorazde 3-kilometre zone. These disturbing developments cast doubt on the seriousness with which the Bosnian Serb side was treating Security Council resolution 913 (1994) and the agreement reached at Belgrade. There appears to be a pattern of defiance, which could endanger all the efforts made by my Special Representative and UNPROFOR to defuse the crisis at Gorazde.

17. Notwithstanding the fact that Bosnian Serb authorities agreed to their full freedom of movement, UNPROFOR personnel en route to and from Gorazde have been exposed to an increasing degree of harassment. This has included the blocking or administrative delay for up to five days at a Bosnian Serb army checkpoint at Rogatica of military resupply and other UNPROFOR convoys, including one transporting medical assistance from a non-governmental organization (NGO). Of even greater concern, such harassment has, on two separate occasions, included the temporary detention of UNPROFOR personnel and the theft of their equipment:

(a) At 1840 hours on 7 May 1994, the Canadian occupants of an UNPROFOR vehicle that had been held up by Bosnian Serbs at Rogatica for over 48 hours were physically detained. The vehicle was searched and a significant quantity of forward air control communications equipment and the weapons of the UNPROFOR officers were stolen. The officers were eventually released; however, as of 13 May 1994, none of the stolen equipment had been returned;

(b) On 12 May 1994, a three-vehicle United Kingdom convoy was stopped at gunpoint by Bosnian Serb troops at Podromanija, which is located between Rogatica and Gorazde. The weapons of the UNPROFOR personnel and some equipment were seized and the convoy commander (a British major) was forced at gunpoint to write a statement, which his captors deemed to be unacceptable. The Bosnian Serbs removed this officer to Rogatica where he was given another statement to sign and forced to read it aloud in front of a television camera. The convoy was released some hours later. The stolen weapons and equipment have not yet been returned.

18. Similar delays and related obstacles have been placed in the path of humanitarian assistance deliveries and evacuations. Despite promises to the contrary, it remains the case that UNPROFOR and humanitarian organizations do not enjoy complete freedom of movement to and from Gorazde and that secure and peaceful conditions for the provision of humanitarian needs to the civilian population have not yet been achieved.

19. On 12 May 1994, a renewed attempt was made at the local level to bring about the total withdrawal of Serb forces from the 3-kilometre zone on the right bank of the Drina. An arrangement was reached with both parties that should have entered into force at 1100 hours GMT on 13 May 1994, whereby the Bosnian Army would have vacated a position it presently occupies on a feature some 1.2 kilometres from the centre of Gorazde on the right bank of the Drina, forward of the 23 April 1994 cease-fire line, and would have redeployed behind that line; within 24 hours all Bosnian Serb forces, including armed military, armed militia and armed civilians, would have withdrawn out of the 3-kilometre zone on the right bank; UNPROFOR would have verified the fulfilment of the above redeployment and withdrawal, would have been entitled to search throughout the exclusion zone on the right bank and would have occupied permanently the position indicated above, after redeployment of the Bosnian Army forces presently occupying it. UNPROFOR also recommended, as already mentioned in paragraph 14 above, that the entire area lying between the cease-fire line and the edge of the 3-kilometre zone on the right bank of the Drina remain demilitarized and under its exclusive interim control. Although on 13 May 1994 the local Bosnian Government Army commander signed the document outlining the above arrangements and actually withdrew his forces from the position they occupied, the local Bosnian Serb liaison officer stated that he had no authority at his level to enter into this agreement. As a result, the Bosnian Army reoccupied the position it had vacated.

20. On 14 May 1994, my Special Representative spoke with President Milosevic, who had assisted in the convening of the Belgrade meeting on 22 and 23 April 1994. President Milosevic assured him that he would do his utmost to bring about the prompt conclusion as well as the full implementation of the arrangements described in the preceding paragraph.

21. As of 18 May 1994, the situation in Gorazde remains one of stalemate, with both parties making claims over the right bank of the Drina river, within the 3-kilometre exclusion zone. While the number of Bosnian Serb militia within the area has been reduced by approximately 100, to a total of 100 to 150 personnel, these militia have, to date, demonstrated no willingness to withdraw outside the 3-kilometre zone. Tensions continue to remain high within Gorazde and, on 17 May 1994, a Ukrainian peace-keeper was killed by an intruder in the UNPROFOR camp at Vitkovici.

IV. OBSERVATIONS

22. Despite the limitations of its mandate and military resources, UNPROFOR, since the Sarajevo market massacre on 5 February 1994, has played a major stabilizing role and contributed to normalizing the situation, particularly in and around Sarajevo, along the entire confrontation line between the Bosnian

Croat and Bosnian government forces (following the 23 February cease-fire agreement and the subsequent successful political negotiations), in Gorazde as described above and in Brcko and the Posavina corridor with the deployment of military observers since 7 May 1994. A peace-keeping force such as UNPROFOR cannot, however, be expected indefinitely to preserve such achievements or indeed ensure compliance with partial cease-fires, military exclusion zones and ultimatums issued by regional organizations, unless early progress is made towards, as a minimum, an agreement on a comprehensive cessation of hostilities and a halt to the movement of military forces, equipment and supplies. Such an agreement would, in turn, create a climate conducive to the resumption of substantive political negotiations. The continued erosion of confidence in, and ultimately the undermining of, the achievements attained so far is unavoidable unless diplomatic efforts are intensified and brought together, as called for in paragraphs 8 and 9 of resolution 913 (1994).

23. On 12 May 1994, I met in Paris with the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, Mr. Thorvald Stoltenberg and Lord Owen, as well as with my Special Representative, Mr. Yasushi Akashi and the Force Commander of UNPROFOR, Lt-General Bertrand de Lapresle. I was accompanied by the Under-Secretaries-General for Political Affairs and for Peace-Keeping Operations, Mr. Marrack Goulding and Mr. Kofi Annan. We reviewed the situation prevailing in Bosnia and Herzegovina and agreed that, as a first step, it was imperative that my Special Representative be given every possible support to resolve the present difficulties encountered by UNPROFOR in and around Gorazde in accordance with resolution 913 (1994) and with the Belgrade agreement mentioned in paragraph 3 above. We further agreed that the parties should engage, under the auspices of UNPROFOR, in negotiations leading to an immediate agreement on a general cease-fire and a comprehensive agreement on the cessation of hostilities.

24. I was, therefore, encouraged by the joint communiqué issued in Geneva on 13 May 1994 at the end of the meeting of the Foreign Ministers of Belgium, Germany and Greece and European Commissioner Hans van den Broek, comprising the Troika of the European Union, as well as of France, the Russian Federation, the United States of America and the United Kingdom of Great Britain and Northern Ireland. Together with the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia, they reviewed the serious situation in Bosnia and Herzegovina. In particular, I share their assessment that the negotiating process has been set back in the wake of the recent offensive on the safe area of Gorazde. I welcome their call on the parties to conclude a comprehensive cessation of hostilities and to resume in parallel, without preconditions, serious efforts to reach a political settlement. Both these actions are considered by the Ministers as essential immediate steps and I fully concur.

25. As regards an agreement on the comprehensive cessation of hostilities, I am requesting my Special Representative and the UNPROFOR Force Commander to approach the parties immediately to bring about an early meeting and, it is hoped, an agreement on this priority issue. I believe paragraph 1 of resolution 913 (1994) gives a clear mandate to UNPROFOR in this regard. I have also requested them to take into account the elements underlined by the Foreign

Ministers, namely the separation of forces, the withdrawal of heavy weapons and the interposition of UNPROFOR troops. I further welcome the call by the Foreign Ministers for a further reinforcement of UNPROFOR if it is to perform its tasks adequately in the protection of safe areas and in support of the cessation of hostilities in Bosnia and Herzegovina. I have also noted and fully subscribe to the view expressed by the Foreign Ministers that the agreement on the comprehensive cessation of hostilities should be for a minimum period of four months, with provision for extension. During that period, every effort must be made to achieve an overall political settlement agreed by all parties. The urgency of this objective has been underlined in recent days by statements on behalf of the Governments of a number of major contributors to UNPROFOR that they will withdraw some or all of their contingents if substantial progress towards an overall settlement is not made within the next two months.

26. I would therefore request the support of the Security Council for the positions described in the present report and would welcome, in particular, the Council calling for the immediate and total compliance with its resolution 913 (1994) and with the Belgrade agreement concluded between my Special Representative and the Bosnian Serb authorities. The Security Council may also wish to request UNPROFOR to continue to proceed urgently with its efforts to achieve a comprehensive cessation of hostilities throughout the territory of the Republic of Bosnia and Herzegovina.